

Summary Minutes Caltrans Native American Advisory Committee

Meeting April 3, 2000

Present:

Committee Members: Ted Sanchez, Randy Sundberg, Jack Biondini, Joe Myers, Dave Nenna, Kathy Wallace, Vlayn McCovey, Ben Scerato and Vernon Johnson.

Absent:

Committee Members: Ronald Andrade, Patricia Galaz, Priscilla Naylor Turner, Brandee Taylor Wildermuth, Lorenda Sanchez, Randolph Feliz, Albert Phoenix, Luwana Harrison, Dore Bietz and Wendy Kitchen. Visitors: Dwight Stillwell Jr., Harry Khani, Bo Mazzetti and Wade Hobbs.

Caltrans' Staff: Joan Sollenberger, Sharon Scherzinger, Larry Orcutt, Tina Biorn, Karen Nissen, Kathleen Sartorius, Lorn ElkRobe, Cynthia Gomez and Bob McKay.

Meeting Commenced at 9:30 a.m.

Motion by Mr. Sundberg, seconded by Mr. Johnson, to adopt the minutes as amended. Motion carried. The revision is "Dore: Goal setting" Line Two Where it now reads cerate change to create.

Discussion followed regarding Federal Consultation:

- The NAAC would like to see a consultation policy adopted by Caltrans.
- The Forest Service has a Policy on Consultation.
- The National Congress of American Indians adopted a policy they would like to see implemented.
- It was noted that the President violated his own Executive Order. (# 13084) By making the Giant Sequoias, which surrounds the Tule River Indian Reservation on three sides, into a National Monument without Consultation with the Tule River Tribe.

Reviewed Charter, the following changes were recommended:

1. **Purpose:** Where it reads the committee has no power to establish scratch "no" and "to," insert (the) and delete the word establish.
2. **Qualifications, Nominations and Appointments**

Where it reads, " by a non-tribal" deletes "a non-tribal". Delete "no person who is not an enrolled member of a tribe is eligible for nomination by that tribe". Where it reads, "upon determination of that a need exists" delete the word "of".

3. Representation

After the word "advocate" delete the remainder of the sentence and insert "for Indians in California".

4. Number of Members

Where it states, "at all times nine" replace "nine" with "twelve".

5. Term of Membership

After "term of membership" add "Any member who misses two consecutive meetings in a calendar year, and has not sent an alternate shall automatically be deemed unable to serve, and his or her membership shall be declared vacant. A member may send an alternate to serve in his or her place." Alternates have all power the voting rights and privileges of the member they represent. Alternates do not automatically fill the vacant membership.

Motion by Mr. Myers second by Ms. Wallace to approve the recommended changes in the charter. Motion carried. A copy of the revised charter will be in the next meeting agenda package.

Ms. Sartorius of the Northern Region gave a report on her involvement with tribes:

- Following the Smoke: In partnership with the Karuk Indigenous Basketweavers, Six Rivers NF, the BLM, the Karuk Tribe of California, and the California Department of Transportation, will be held July 10-14, 2000. Nearest town is Orleans, which is 10 minutes from campground.
- Tribes are concerned that Caltrans will cut or spray the material they use for baskets and other things.
- Training of flag persons to meet Cal-OSHA's new requirements.
- Blue Lake Rancheria has requested to be seated on the local RTPA board. The local RTPA said they could be on the technical advisory commission, but not on the RTPA Board.

Discussion followed on how the tribes should get involved with the local RTPA's:

- Tribes should try to get seated on the RTPA Policy Board.
- RTPA Policy Board rules may need to be changed so tribes can be on the Policy Board.
- Tribes should seek legislation to change the policy to include tribes on the RTPA's Board.

Ms. Nissen of the Central Region reported on the following items:

- There is a Peace and Dignity run from Alaska to Mexico and Jake Martinez, District 11 Permits, might be a good contact person to coordinate the permits.
- Big Sandy is talking with Bart Bohn and the staff of District 6 to get a road connector from Hwy. 168.
- The Santa Rosa Rancheria is sponsoring a breakfast to help build a better working relationship with the local businesses and agencies. The breakfast is on the last Friday of the month.
- Table Mountain Rancheria is requesting signage from SR 41 and 99.
- At March meeting in District 10, The District Director and five local RTPA's, District Director Leja said he would go to the Rancherias and Reservations to assist the tribes in building a working relationship with the local RTPA's.
- Tule River's Elders Council has adopted a highway for the purpose of helping to preserve the basket material and other vegetation used for Tribal needs.
- TTAP Training and what are going on with the program?
- Campbell has introduced a bill to change some of the language in the Transportation Equity Act for the 21st Century. The Obligation Limitation is just one of the recommended changes.
- EDA grants are available and are focused around tribes and places where military bases have been closed.
- The Basket Weavers are forming a burning team to help preserve the basket material along state highways.

Ms. McCovey announced that there is a \$50,000 planning grant available for tribes who have not had a transportation plan in the last five years. The last day to apply is April 23, 2000. To this day only about 30 tribes in California have applied.

Mr. ElkRoBe reported on the Southern Region:

- Mr. Silverwater is working with six TEROs.
- Meetings were held with District 11 Director Gallegos and some of the tribes.
- Disadvantage Business Enterprises (DBE) is in the process of establishing Tribal Information Centers.
- Caltrans' Indian Policy is in Legal at this time and should be returned shortly.
- TERO: There will be three workshops on TERO training for the tribes and DBE would like the tribes to sponsor them. The first day of each workshop will address the Tribal Chairpersons. The first workshop will be at the Bishop Reservation and will start on May 15, 2000.

Director Medina arrived and spoke about his support for the Committee and that he feels the Committee should continue to be statewide instead of broken down into separate regional or district representatives. The Director passed out Certificates of Appreciation to all members of the NAAC present. Director Medina said that he would like to see a member of the committee send a representative to the Regional Caltrans Coordination meetings with the MPOs and the RTPAs.

Ms. Biorn from the Environmental Program reported on the following items:

- Permits for trenching for fiber optic cable - All permits should go through environmental for review. This will insure all necessary paperwork is completed.
- Currently, Caltrans is revising a policy concerning permits for fiber optic cable placement to cover the whole state.
- Copy of draft policy should go to all districts and/or departments that have concerns.
- Monitors: Some tribes voiced concern that some companies do not use Native American monitors.
- Some fiber optic companies do not do environmental reviews.
- Up-date on the Caltrans Tribal Think Tank.

Mr. Orcutt gave a report on the following items:

- What does the NAAC see as their priorities? And how can Caltrans help with them?
- A Heavy Equipment Operators Exam will be coming up sometime in April or May. Mr. Orcutt would like to see qualified Native Americans ready to take that exam.
- Mr. Orcutt will check with Mr. Joe Loya to see if there are any qualified Indians in his service area. Mr. Orcutt will work with Ms. McCray to find qualified Indian candidates.
- Mr. Orcutt will work with Ms. McCray to talk to Unions about changing the training to reflect the questions being asked by Caltrans' exam unit.
- What is it you need to know to qualify for the exam?
- Mr. Orcutt needs an internal meeting with Ms. McCray and Mr. ElkRobe to discuss recruitment.
- American Indian Science & Engineering Society (AISES) will be having their awards banquet May 3-5, 2000.
- AISES will hold their National Conference in November.
- Mr. Orcutt gave out some GIS maps that his unit prepared and asked if this is what the Committee wanted. He said if the Committee needed changes he would be happy to make them.

Ms. Gomez reported on the following items:

- The Tribal Handbook is out for comment and the comment period will end April 23, 2000.
- Tribal Government Protocol: How agencies should treat tribes when they have dealings with them.
- Ms. Gomez is working with the CTC on the meetings they are having with the tribes.
- There have been changes or request for changes on a few Caltrans policies affecting Native American Country. (i.e.) " Signage, and Spacing of Interchanges".

- The CTC has held two meetings with State, Tribal and Federal governments. The third meeting will be held on 4-12-2000 in Eureka. These meetings are entitled "Strengthening State, Tribal and Regional Transportation Partnerships". The Yurok Tribe of California will host the meeting.
- There is one vacancy per class for five Caltrans Transportation Planning Academies. They are specifically for Native Americans. These vacancies are currently being filled. Randolph Feliz Vice Chairman of the Hopland Rancheria attended the first Caltrans Transportation Planning Academy.

Mr. Oldham, California Transportation Commission, reported on the following items:

- The two workshops have been held with California Transportation Commission (CTC), tribes and regional planning agencies.
- Meetings were held at the Morongo Reservation and the Jackson Rancheria. The third meeting is to be held in Eureka April 12, 2000.
- CTC has agreed to act as an advocate for the tribes when asked.
- CTC has sent letters to the Congressional Representatives from California expressing the tribes' need for increased funding.
- CTC has asked the Director of Caltrans for more resources to assist the tribes in getting their projects ready for inclusion in the RTIPs.
- The need for tribes to attend CTC meetings.
- Tribes need to be included in planning right at the start, not when the process is nearly over.

The Tribal Transportation Planning Grant was revisited:

- Mr. Khani stated the need for tribes to apply for the \$50,000 planning grant that the Bureau of Indians Affairs is offering.
- Discussion ensued on how the tribes could apply and who will screen the applications.

Mr. Mazzetti's presentation was tabled until the next meeting of NAAC.

Follow up on the status of the Caltrans Tribal Policies and check with Ms. Bietz to see if she would call Ms. McCray to get the information.

Next meeting June 8, 2000 in Woodland, California.

Agenda for next meeting:

1. New member orientation.
2. Elections of new officers.
3. Set goals/priorities and make assignments to accomplish the goals.
4. Place Mr. Mazzetti on the agenda.

5. Update on the funding formula by the Negotiated Rule Making Committee. If the formula remains the same it will hurt the small tribes in California.

Motion by Mr. Sundberg, seconded by Mr. Sanchez to adjourn.

Follow-up Items:

- Caltrans' Indian Policy
- Tribal Handbook.
- SHOPP Update, GIS
- Indian MPOs/RTPAs
- RTA Update
- The NAAC would like to see a consultation policy adopted by Caltrans
- Motion by Mr. Myers second by Ms. Wallace to approve the recommended changes in the charter. Motion carried. A copy of the revised charter will be in the next meeting's agenda package
- Big Sandy is talking with Bart Bohn and the staff of District 6 to get a road connector from Hwy. 168
- Table Mountain Rancheria is requesting signage from SR 41 and 99
- TAP Training and what is going on with the program
- Director Medina said that he would like to see a member of the committees attend the Regional Caltrans Coordination meeting with the MPOs and the RTPAs
- Up-date on the Caltrans Tribal Think Tank
- Mr. Orcutt will check with Mr. Joe Loya to see if there are any qualified Indians
- Mr. Orcutt will work with Ms. McCray to find qualified Indian candidates
- Mr. Orcutt will work with Ms. McCray to talk to unions about changing the training to reflect Caltrans' exam unit is asking the type of questions
- Mr. Orcutt needs an internal meeting with Ms. McCray and Mr. ElkRobe to discuss recruitment
- American Indian Science & Engineering Society (AISES) will be having their awards banquet May 3-5, 2000.